

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MARILUZ ACOSTA PADILLA,)	Case No.: 1:17 CV 2256
)	
Plaintiff)	
)	JUDGE SOLOMON OLIVER, JR.
v.)	
)	
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION,)	
)	
Defendant)	<u>ORDER</u>

The Commissioner of Social Security Administration (“Commissioner”) denied disability benefits (“DIB”) and supplemental security income (“SSI”) to Plaintiff Mariluz Acosta Padilla (“Plaintiff” or “Padilla”), in the above-captioned case. Plaintiff sought judicial review of the Commissioner’s decision, and this court referred the case to Magistrate Judge James R. Knepp, II (“Magistrate Judge” or “Judge Knepp”) for preparation of a Report and Recommendation (“R & R”). Both parties submitted briefs on the merits.

Judge Knepp submitted his R & R (ECF No. 19) on December 7, 2018, concluding that the Commissioner’s decision denying SIS and DIB is not supported by substantial evidence and recommended that the court should reverse the Commissioner’s final decision and remand this case for further proceedings. Defendant Commissioner of Social Security filed a Response to the Magistrate Judge’s report indicating that it will not be filing objections to the report, (ECF No. 20).

The court finds, after careful *de novo* review of the Magistrate Judge’s R & R and all other relevant documents in the record, that the Magistrate Judge’s conclusions are fully supported by the

record and controlling case law. Accordingly, the court adopts as its own Judge Knepps's Report and Recommendation (ECF No. 19), finding that the Commissioner's decision denying SSI and DIB is not supported by substantial evidence. The court hereby reverses the Commissioner's final decision and remands this case for further proceedings pursuant to Sentence Four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

January 23, 2019